

REMARKS/ARGUMENTS

Claims 3 and 5-9 are pending.

Claims 3, 5, and 7-9 have been amended.

Claims 1-2, 4, and 10-11 have been cancelled.

Support for the amendments is found in the claims and specification, as originally filed. Claim 3 comprises the limitations of claims 1. Claims 5 and 7-9 comprise the limitations of claim 1, 3, and 4. No new matter is believed to have been added.

To address the rejection of claim 8 under 35 U.S.C. 112, second paragraph, claim 8 is amended to insert the limitation "composition." Example 17 and Table 3 at pages 22-24 clearly show that "a preparation" is "a composition", not a method requiring active steps. Applicants request that the rejection be withdrawn.

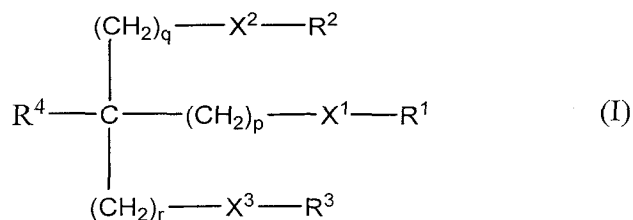
The rejection of Claims 1-2 and 4 under 35 U.S.C. 102(b) over Torii, US 6,410,478, is not applicable to the claims presented herein as claims 1-2 and 4 are cancelled. Applicants request that the rejection be withdrawn.

Claims 1-9 are rejected under 35 U.S.C. 103(a) over Torii, US 6,410,478, and Guskey, US 5,776,494.

The rejection is untenable because Torii does not describe selecting the specific claimed compounds (see for example, claim 3) that have superior gelling properties and are used in a gelling agent, gelling composition, external composition, cosmetic composition, and fragrance composition comprising the claimed amide compound (see claims 5-9). Guskey does not describe the claimed compounds. Therefore, the combination of Torii and Guskey would not have rendered the claims obvious.

Torii describes a thermosensitive recording medium that uses coloring reactions between an electron-donating coloring compound and electron-accepting compound capable

of a color-developing state and a decolorized state, wherein the medium also comprises a decolorization accelerating agent of formula (I):

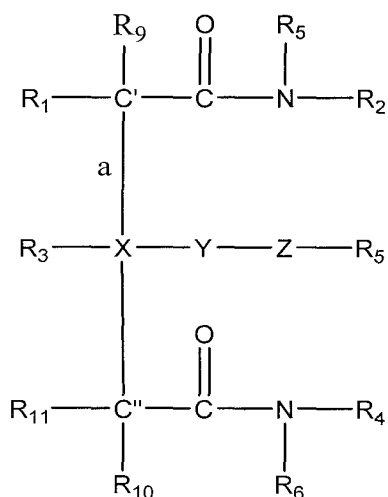


wherein p is 0-1, and q and r are 1-3.

The Torii recording medium has an instantaneous decolorization property and preservation stability (col. 3, lines 1-7).

Torii does not teach selecting a specific set of the claimed amide compounds and compositions from the large number of possible combinations, not to mention the compounds possessing superior gelling properties. In fact, the compounds described in the Examples are different from the claimed amide compounds (col. 6-10 and 38-43) and that would lead one away from the specific compounds in the claims, notwithstanding the general formula Torii provided.

Guskey describes gelling agents of the formula 1:



The claimed amide compounds are different from what Guskey describes because in the claimed amide agents m is 2, n is 0, and p is 3, or m is 1, n is 0, and p is 2, while Guskey

requires X as (CH₂) and Y as C=O. Therefore, substituting the Guskey compounds into Torii's compositions still does not meet what is now claimed.

Further, the Torii invention relates to a reversible thermosensitive recording medium and is different from the field of pharmaceutical and cosmetic compositions comprising gelling agents of Guskey. Therefore, one would not have combined these disclosures. But in any case, as discussed above, the combination of the cited references does not teach what is now claimed.

Thus, what we have here is Torii teaching a general formula but specifically teaching compounds that differ from those claimed and Guskey who teaches compounds falling within the general formula of Torii but also differ from those claimed. Therefore, in combination the citations do not teach, suggest or otherwise point to the claimed amide compounds.

Furthermore, it would not have been obvious to combine the compounds of the general formula (I) of Torii different from those of Guskey used for a recording medium with the gelling compounds of Guskey because the teachings of Torii and Guskey pertain to different technical fields and intend to solve different technical problems.

The selection of the claimed amide compounds is important because the claimed compound as exemplified by compounds A-G of the Examples in the present specification have superior properties compared to other gelling agents and compositions (see Examples at pages 14-26). The present specification describes that conventionally known gelling agents are effective only for gelatinizing highly polar oily bases and provide strong sticky feeling (page 1). A gelling composition comprising such agents fails to have a sufficient gel strength because its poor compatibility and homogeneity (page 1). Such a composition also loses its form caused by the problem of strength and is white with a low transparency (page 1). Also, compositions with high molecular weight gelling agents is difficult to make in a stick form

because of their poor strength and high viscosity (page 2). The claimed amide compounds have a high ability to gelatinize oily bases and a high gel strength and transparency (page 2).

Applicants request that the rejection be withdrawn.

A Notice of Allowance for all pending claims is requested.

Respectfully submitted,

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